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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,100	04/28/2005	Katsunari Suzuki	03500.102906	2309
5514	7590	11/27/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ARANI, TAGHI T	
			ART UNIT	PAPER NUMBER
			2131	
DATE MAILED: 11/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,100	<b>Applicant(s)</b> SUZUKI, KATSUNARI	
	<b>Examiner</b> Taghi T. Arani	<b>Art Unit</b> 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,11,12,14-17 and 22 is/are rejected.
- 7) ☐ Claim(s) 2,7-10,13 and 18-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/28/2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 09/26/2006.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

*Taghi T. Arani*  
*Primary Examiner*  
*11/16/06*

### **DETAILED ACTION**

1. Claims 1-22 have been examined and are pending.

#### ***Claim Rejections - 35 USC § 112***

2. **Claims 3-4, 6, 14-15 and 17** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claims 4 and 15** recite “precluding from reading the predetermined information from the portable storage medium into the portable storage medium”. It is vague and unclear how the portable storage medium reads information from itself into itself.

**Claim 6 depends on claim 3. Claim 17 depends on claim 14.** However, the term “when the area information read from the portable storage medium by said information reading unit indicates that the portable storage medium exists in the predetermined area, said control unit is adapted to control said information writing unit to write the predetermined information stored in the portable storage medium into the portable storage medium” in claims 6 and 17 contradicts the term “when the area information read from the portable storage medium by said information reading unit indicates that the portable storage medium exists in the predetermined area, said control unit is adapted to control said information writing unit to delete the predetermined information stored in the portable storage medium “ recited in claims 3 and 14.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2131

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-5, 11, 12, 15-16 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2003/0188199 to Tadano et al. (hereinafter "Tadano").

**As per claims 1 and 12**, Tadano teaches an information processing apparatus and method comprising (Abstract, paragraph 0027, see also Fig. 8A and associated text):

an information reading step of reading information from a portable storage medium ( Fig. 3 and associated text, IC tag reader/writer 130, paragraph 0027); and

an information writing step of writing information into the portable storage medium (IC tag reader/writer 130 writes a code into the IC tag 104 of the main unit of the PC 100), said information writing step being adapted to write area information indicating whether or not the portable storage medium exists in a predetermined area (i.e. the code that is read by the IC tag reader/writer 129 is converted into an area code in the CPU 121) wherein, when the area information read from the portable storage medium in said information reading step indicates that the portable storage medium exists in the predetermined area, said information writing step is adapted to preclude from reading predetermined information stored in the portable storage medium (paragraph 0030, discloses that on the basis of the unique code read by the IC tag reader writer 129, the security mode or the restriction on data access is changed or selection of whether or not to delete data is carried out in security control block) , and to write the area information indicating that the portable storage medium does not exist in the predetermined area (

Art Unit: 2131

paragraph 0036, when carrying the PC 100 out of the room S501, the security control of the PC 100 gets activated by the unique code ( area information) transmitted by the IC tag writers , see also paragraph 0038).

**As per claims 4 and 15**, Tadano teaches an information processing apparatus and method according to claims 12 and 1 respectively, wherein, when the area information read from the portable storage medium in said information reading step indicates that the portable storage medium exists in the predetermined area, said information writing step is adapted to write reading-preclusive information for precluding from reading the predetermined information from the portable storage medium into the portable storage medium ( paragraph 0036, where the security control acts by rendering the data in the data file inside the PC as deleted data thereby disallowing access to the data outside the room S501).

**As per claims 5 and 16**, Tadano teaches an information processing apparatus and method according to claims 1 and 12 respectively, wherein, when the area information read from the portable storage medium in said information reading step indicates that the portable storage medium does not exist in the predetermined area, said information writing step is adapted to be able to read the predetermined information from the portable storage medium (paragraph 0042, see also fig. 5 and associated text) .

**As per claims 11 and 22**, Tadano teaches an information processing apparatus and method according to claims 1 and 12 respectively, wherein the portable storage medium is a storage medium to which communication is possible in non-contact manner (Paragraph 0025, see also fig. 3, PC 100 (portable storage medium) and transmitter 130

Art Unit: 2131

(IC tag reader writer)), said information reading step is adapted to write the information into the portable storage medium in non-contact manner (paragraph 0027, where the code of the IC tag reader/writer 130 of the location of the PC 100 is read into the PC and stored in RAM122), and said information writing step is adapted to read the information from the portable storage medium in non-contact manner ( Fig. 3, IC tag reader/writer 130 and associated text).

#### **Allowable Subject Matter**

4. Claims 2,7-10,13,18-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Conclusion**

5. Prior arts made of record, not relied upon:

US 20031050915 to Reese

US20020087868 to King et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.

Primary Examiner

Art Unit 2131

11/17/2006